

DECLARATION OF FACSIMILE TRANSMISSION

Rec'd PCT/PTO 27 SEP 2005

I hereby certify that this paper is being facsimile transmitted to the Commissioner for
Patents; Box: PCT at (703) 305-3230 on September 27, 2005 by

Audrey A. Boyd

Audrey A. Boyd

Attorney Docket No.: B45309

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Biemans et al.

Serial No.: 10/523,055

Filed: February 2, 2005

For: VACCINE COMPOSITION COMPRISING LIPOOLIGOSACCHARIDE
WITH REDUCED PHASE VARIABILITY

Commissioner for Patents
Mail Stop: PCT
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Sir:

This facsimile is in response to the "Notification of Missing Requirements under 35 U.S.C. 371" mailed on September 15, 2005, which indicates that the Oath or Declaration of the inventors for the subject patent application is not part of the filewrapper. A copy of the above notice is attached.

Also enclosed, please find a Declaration and Power of Attorney for the subject patent application, which has been fully executed by the inventors of the subject patent application in compliance with 37 C.F.R. 1.497(a), and (b).

Please charge the \$130.00 surcharge for late filing of the fully executed declaration, as well as the \$450.00 surcharge for additional claim fees as required, to **Deposit Account No. 19-2570**. Please charge any additional requisite fees for the filing of the enclosed Declaration or credit any over-payment to Deposit Account No. 19-2570.

Respectfully submitted,

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.

10/523,055

FIRST NAMED APPLICANT

Ralph Biemans

ATTY. DOCKET NO.

B45309

INTERNATIONAL APPLICATION NO.

PCT/EP03/08569

I.A. FILING DATE

07/31/2003

PRIORITY DATE

08/02/2002

20462

SMITHKLINE BEECHAM CORPORATION
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CONFIRMATION NO. 6847

371 FORMALITIES LETTER

OC000000016957651

Date Mailed: 09/15/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/02/2005
- Copy of the International Search Report filed on 02/02/2005
- Copy of IPE Report filed on 02/02/2005
- Preliminary Amendments filed on 02/02/2005
- Information Disclosure Statements filed on 02/02/2005
- Biochemical Sequence Diskette filed on 02/02/2005
- Biochemical Sequence Listing filed on 02/02/2005
- Request for Immediate Examination filed on 02/02/2005
- U.S. Basic National Fees filed on 02/02/2005
- Priority Documents filed on 02/02/2005
- Specification filed on 02/02/2005
- Claims filed on 02/02/2005
- Abstracts filed on 02/02/2005
- Drawings filed on 02/02/2005

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The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$450 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application

by the International application number and international filing date.

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$580 for a Large Entity:

- \$130 Surcharge.
- Total additional claim fee(s) for this application is \$ 450
 - \$450 for 52 total claims over 20.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

TAMALA D HOLLAND

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PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/523,055	PCT/EP03/08569	B45309